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FACSIMILE TRANSMITTAL

DATE: October 22, 2004

RE: U.S. Patent Application No. 09/697,780

TO: Mail Stop Amendment

FILED: October 26, 2000

FAX: 703-872-9306

FOR: METHOD AND SYSTEM FOR INTERNET  
ACCESS

FROM: William Y. Conwell

ART UNIT 2151

PAGES: 2 (including this page)

DOCKET NO.: 60320

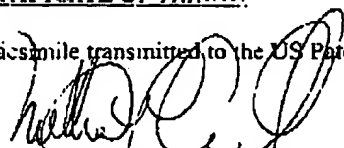
☒ Urgent ☐ For Review ☐ Please Reply

**FACSIMILE COVER LETTER**

Attached is a Response for the above application. No fee is believed due, however please charge any fees which may be required in connection with filing this Response and any extension of time, or credit any overpayment, to Deposit Account No. 50-3284.

**CERTIFICATE OF FAXING:**

I hereby certify that these papers are being facsimile transmitted to the US Patent Office, 703-872-9306 on October 22, 2004.

  
William Y. Conwell/Reg. No. 31,943  
Attorney for Applicant

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WYC:Imp 10/22/04 60320

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Davis et al.

Application No.: 09/697,780

Filed: October 26, 2000

For: METHOD AND SYSTEM FOR INTERNET  
ACCESS

Examiner: F. Jean

Date: October 22, 2004

Art Unit 2151

Confirmation No. 5578

## CERTIFICATE OF FAXING

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October 22, 2004.William Y. Conwell, Reg. No. 31,943  
Attorney for ApplicantRESPONSERECEIVED  
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OCT 22 2004

Mail Stop AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

Responsive to the Restriction Requirement mailed October 1, 2004, applicants respond as follows.

Applicants elect to pursue the claims of group I, with traverse.

It is not clear that the Office has met its *prima facie* burden of showing that the respective sets of claims are both independent and distinct. For example, it appears that claims 19-23 (Group II) could properly be classified as "drawn to usage and charge determination" (Group I).

Likewise, the subject matter of claims 24-29 and 30-31 appear to be closely related.

Moreover, even if the claims are independent and distinct, it is not believed that maintaining all claims in a single application would be unduly burdensome on the Office. Accordingly, withdrawal of the restriction requirement is solicited.

If the restriction requirement is made final, applicants authorize the Examiner to cancel the non-elected claims by Examiner's Amendment.

Date: October 22, 2004

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Respectfully submitted,

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By

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